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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,909	10/05/2005	Marc Preaudat	LOM-0047	7128
23599 7590 12/21/2007 MILLEN, WHITE, ZELANO & BRANIGAN, P.C. 2200 CLARENDON BLVD. SUITE 1400 ARLINGTON, VA 22201			EXAMINER SHEN, BIN	
			ART UNIT 1657	PAPER NUMBER
			MAIL DATE 12/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10522909	10/5/2005	PREAUDAT ET AL.	LOM-0047

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
2200 CLARENDON BLVD.
SUITE 1400
ARLINGTON, VA 22201

EXAMINER

Bin Shen

ART UNIT	PAPER
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1657

20071217

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents**Examiner's Answer****(8) Evidence Relied Upon**

1. Bazin et al. Homogeneous time resolved fluorescence resonance energy transfer using rare earth cryptates as a tool for probing molecular interactions in biology. Spectrochimica Acta Part A 2001;(57):2197-2211.
2. Nicolson et al. USPN 4859581 August 22, 1989.

Art Unit: 1657

Examiner is not aware of any related proceedings.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

The appeal involves claims 1-18 are pending, of which claims 1, 2, 5-12 stand rejected. Claims 3, 4, 13-18 are withdrawn. Claims 1, 2, 5-12 are subject to the present appeal.

(4) Status of Amendments After Final

There are no pending amendments.

(5) Summary of Claimed Subject Matter

The summary of invention contained in the brief is correct.

(6) Grounds of Rejection to be reviewed on Appeal

The Appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

1. Bazin et al. Spectrochimica Acta Part A 2001;57:2197-2211.

2. Nicolson et al. USPN4859581.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-2, 5-12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Bazin et al. (Spectrochimica Acta Part A 2001;57:2197-2211) in view of Nicolson et al. (USPN4859581).

Bazin et al. teach FRET-based enzyme assays using a class of fluorescent complexes, the rare earth cryptate, as a

name, number & date

08-22-1989